



## **Resolution #HSRA 15-14**

### **Adoption of Findings Pursuant to Government Code § 51292 (Kings, Tulare and Kern Counties)**

**WHEREAS**, pursuant to the Williamson Act, the Authority must adopt specific findings prior to locating a public improvement within an agricultural preserve, including for properties subject to a contract under the Williamson Act requiring the property to remain in agricultural use (the contracts are generally called Williamson Act Contracts or Farmland Security Zone Contracts);

**WHEREAS**, the Authority has pursued a tiered environmental review process and has been cognizant of its obligations under the Williamson Act as part of that process;

**WHEREAS**, the Authority utilized a tiered environmental process to identify preferred corridors for additional study in project-level environmental documents;

**WHEREAS**, through the tiered environmental process, the Authority prioritized a high-speed rail corridor connecting the major cities in the Central Valley, including Fresno and Bakersfield, rather than bypassing them, to meet the project purpose and need;

**WHEREAS**, the Authority has undergone a thorough environmental review process for the Fresno to Bakersfield section of the high-speed rail system, which concluded in May of 2014 with certification of the Fresno to Bakersfield Final EIR/EIS;

**WHEREAS**, as part of this process, the Authority has entered into an agreement with the Department of Conservation Farmland Conservancy Program to fund the purchase of agricultural conservation easements on farmland from willing sellers in the Fresno to Bakersfield section that will reduce adverse impacts to Important Farmland in the agricultural region where the parcels are acquired;

**WHEREAS**, the Authority is proceeding with acquisition of real property in Kings, Tulare and Kern Counties as part of constructing a portion of the Fresno to Bakersfield section of the high-speed rail system;

**WHEREAS**, the Authority must acquire real property on land within an agricultural preserve that are subject to contracts under the Williamson Act in Kings, Tulare and Kern Counties to construct the high-speed rail system;

**WHEREAS**, the Authority is contacting affected property owners to negotiate a fair market value for the parcel to be acquired, with the desire that it can reach a successful settlement in lieu of eminent domain without needing to exercise its authority of eminent domain;

**WHEREAS**, the Authority is also providing relocation benefits to residents and businesses displaced by the acquisition;

**THEREFORE, IT IS RESOLVED:**

- 1.) Pursuant to Government Code section 51292(a), the Authority finds that the location of the high-speed rail alignment in the Fresno to Bakersfield section as a whole, and specifically as to the portions of the alignment in Kings, Tulare and Kern Counties that affect the 78 listed parcels in Kings, Tulare and Kern Counties addressed in the June 9, 2015 staff report, is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve.
- 2.) Pursuant to Government Code section 51292(b), the Authority finds that as relates to those 78 parcels in Kings, Tulare and Kern Counties listed in the June 9, 2015 staff report and which are covered by a Williamson Act contract, there is no other land for the high-speed train alignment within or outside an agricultural preserve on which it is reasonably feasible to locate the public improvement.

Vote:

Yes:

No:

Absent:

Date:

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